

DELEGATE PULLEN: Mr. Chairman.

THE PRESIDENT: Delegate Pullen.

DELEGATE PULLEN: May I add to those two splendid statements? I think the most astute remark I have heard in this Convention came from a little child, I don't remember from what school, who in response to an invitation of the Chairman of our Committee, asked this question: "Why isn't everybody here?"

THE PRESIDENT: The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move the Convention resolve itself into the Committee of the Whole, to resume consideration of Committee Recommendation JB-1.

THE PRESIDENT: Is there a second?

*(Whereupon, the motion was duly seconded.)*

THE PRESIDENT: Delegate Hostetter?

DELEGATE HOSTETTER: I rise to a point of personal privilege, sir.

THE PRESIDENT: State the privilege.

DELEGATE HOSTETTER: I would like to have recognized at this time a number of members of the Maryland-Delaware Press Association, who are in the gallery to the rear, here on a news-writing short course, and they are attending this session and will after this session write a story with respect to it, and I hope it is worthy of a candy bar.

*(Applause.)*

THE PRESIDENT: All those in favor of the motion that the Convention resolve itself into the Committee of the Whole signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

*(Whereupon, at 2:45 P.M., the Convention resolved itself into the Committee of the Whole.)*

*(The mace was removed by the Sergeant-at-Arms.)*

## COMMITTEE OF THE WHOLE

NOVEMBER 17, 1967—2:45 P.M.

PRESIDENT H. VERNON ENEY,  
PRESIDING

THE CHAIRMAN: The Committee of the Whole will please come to order.

We still have under consideration Committee Recommendation JB-1.

Before calling on the Chairman of that Committee for the presentation of the next part of that report, I wish to state that I understand from the staff that they gave in writing yesterday to Delegate Malkus all of the Committee's information on the subject of costs with respect to the proposed judiciary article. I am further advised that the Department of Fiscal Research, Dr. Cooper, and Mr. Odell Smith, have stated that they cannot supplement that data with any additional information.

I assume, Delegate Malkus, you have received the information.

The Chair recognizes Delegate Mudd, Chairman of the Committee, under the request that he come forward to the reading desk.

Under the debate schedule we now take up the second portion of the article dealing with judicial selection, tenure and removal, sections 4512 to 4528. We will first have the presentation of the committee recommendation with respect to this portion and then the presentation of the Minority Report with respect to this portion.

Delegate Malkus?

DELEGATE MALKUS: Mr. President, I received so much information, and naturally having no clerical help, do not know exactly what you meant that I got the count, or what this is going to cost, but since apparently there are other people here that will know what this is going to cost, perhaps it might be well, Mr. President, to write this into the record, so that when we come back to the General Assembly next January, and if the Constitution passes in May, that we will know what we have to face as far as additional cost is concerned.

If we do not appropriate any more additional moneys than you are saying it is going to cost, you certainly cannot blame us because that is what the people will vote on. Maybe somebody can tell us what it will cost.

THE CHAIRMAN: The Chairman of the Committee will make available in response to questions whatever information he has. I suggest to you that your question in its broadest implications asks for the impossible. This recommendation authorizes the General Assembly to prescribe the number of judges and authorizes them to take other action. Unless one knew that